

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. The Examiner has allowed Claims 1-8, objected to Claim 20, and rejected Claims 9-19. Claims 9, 14, and 17 have been amended, and Claim 20 has been cancelled without prejudice. Claim 14 has been amended in a non-limiting fashion for clarity. New Claim 21 has been added. No new matter has been added. Accordingly, Claims 1-19 and 21 remain pending in the present application.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claim Objections

On page 3 of the Office Action, the Examiner objected to Claim 20 as being dependent upon a rejected base claim, but indicated that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 17 has been amended to include limitations similar to those included in original Claim 20, and Claim 20 has been cancelled without prejudice. New Claim 21 depends from independent Claim 17.

The Applicants submit that amended independent Claim 17, and dependent Claims 18-19 and 21 which depend therefrom, are now allowable.

Claim Rejections – 35 U.S.C. § 102 and § 103

On page 2 of the Office Action, Claims 9-17 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent Application Publication No. 2002/0098689 to Chong et al. On page 2 of the Office Action, Claims 18-19 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Chong et al. in view of U.S. Patent No. 6,306,722 to Yang et al. The Applicants respectfully traverse these rejections.

Independent Claim 9 (as amended) recites, among other limitations, “providing a first layer comprising at least one of silicon nitride and silicon dioxide above the strained

semiconductor layer; providing a second layer above the first layer, the second layer containing nitrogen, titanium, tantalum, or carbon; implanting non-neutral dopants into the strained semiconductor layer through the first layer and the second layer.”

Chong et al. does not disclose “implanting non-neutral dopants into the strained semiconductor layer” through a “first layer” and a “second layer,” as recited in independent Claim 9. In contrast, as shown in Figure 8 of Chong et al. and described at paragraph [0026], an “ion implantation process” in which “B⁺, BF₂⁺, As⁺ or P⁺ ions are implanted” through a metal layer (shown as layer 30 in Figure 8). Accordingly, the “B⁺, BF₂⁺, As⁺ or P⁺ ions” are not implanted through a “first layer” and a “second layer” as recited in independent Claim 9.

The rejection of Claims 9-16 should be withdrawn, because at least one limitation of independent Claim 9 is not identically disclosed by Chong et al. Accordingly, the Applicants request reconsideration and withdrawal of the rejection of Claims 9-16 under 35 U.S.C. § 102(a).

As described above, independent Claim 17 has been amended to include limitations similar to those recited in original Claim 20. The Applicants submit that Claims 17-20 are allowable over Chong et al. and Yang et al. Reconsideration and withdrawal of the rejection of Claims 17-19 and allowance of new Claim 21 is therefore respectfully requested.

* * *

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. The Applicants request consideration and allowance of all pending Claims 1-19 and 21.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R.
§1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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